

DONALD LEJEUNE vs STATE FARM FIRE AND CASUALTY  
Donald Lejeune 08/30/2022

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT COURT OF OKLAHOMA

DONALD LEJEUNE, an )  
individual, )  
Petitioner, )  
vs. ) Case No. 21-CV-01132-G  
STATE FARM FIRE AND CASUALTY )  
COMPANY, )  
Respondent. )

DEPOSITION OF DONALD LEJEUNE

TAKEN ON BEHALF OF THE RESPONDENT

IN MOORE, OKLAHOMA

ON AUGUST 30, 2022

WORD FOR WORD REPORTING, L.L.C.  
620 NORTH ROBINSON  
SUITE 202  
OKLAHOMA CITY, OKLAHOMA 73102  
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REPORTED BY: JENESSA KENDALL KALSU, CSR

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1 A Port Sulphur, Louisiana.

2 Q What's your date of birth?

3 A June 4th, 1964.

4 Q And what's your current address?

5 A 327 Northwest 12th Avenue, Norman,  
6 Oklahoma 73072.

7 Q And am I correct that is the address that  
8 you filed the claim on that is the subject of the  
9 suit that we are here today to discuss?

10 A Yes.

11 Q As we go forward, when I talk about the  
12 address in this suit or the address from this claim,  
13 can we agree that I'm talking about that address?

14 A Yes.

15 Q Okay. How long have you lived at that  
16 address?

17 A That's a good question. I think -- I'm  
18 thinking it was 2007 that we bought that house.

19 Q Do you know when it was built?

20 A Uh, I think it was a year old when we  
21 bought it. It was new, because the people that were  
22 building it got divorced or whatever and then backed  
23 out of it, and my wife found it and wanted it. And  
24 I wasn't home when all that happened. I was down in  
25 Texas on an oil rig, so...

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1 A (Shook head.)

2 Q Okay. Did you review anything at home?

3 A No.

4 Q Okay. And obviously, any communications  
5 with your counsel are privileged, so I'm not asking  
6 about those. I'm just asking if there is anything  
7 you did on your own.

8 A No. I mean, I just -- you know, I'm here  
9 today.

10 Q Got you.

11 All right. So prior to -- I guess prior  
12 to the filing of this claim in November of 2020, had  
13 the roof of your residence ever suffered any other  
14 damage?

15 A Like?

16 Q Have you had any prior repairs to the roof  
17 before this claim from this case?

18 A Repairs? No. I mean, there is on the  
19 backside of the house -- we had these -- what do you  
20 call it? The turbine vents.

21 Q Uh-huh.

22 A And I don't know if you've seen our house  
23 or the size of the roof of our house, but that's all  
24 you had venting the heat out of that house, and that  
25 upstairs would get, like, hot, you know?

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1 Q Gotcha.

2 A I mean, you would have to turn that A/C  
3 unit upstairs to like 64 degrees to make it  
4 comfortable up there, but we had the house -- my  
5 wife wanted new flooring, so I ripped all of the  
6 flooring out of the house, repainted all of the  
7 walls and the ceilings inside of the house.

8 And then she repainted -- had the outside  
9 of the house repainted. And then she wanted new  
10 gutters, so Patriot Roofing did the gutters. And we  
11 talked to them about putting -- getting rid of those  
12 turbine vents because the wind had blown them off  
13 once.

14 Q The turbine vents?

15 A Blown one of them off, you know? So, you  
16 know, we had to get up there and replace that. And  
17 that roof is awful steep. I'm not a big fan. But  
18 we had them put ridge cap vents, you know, on all of  
19 the ridge caps.

20 Q Yes.

21 A And man, that's made a -- like a night and  
22 day difference upstairs, you know? I mean the  
23 temperature up there right now is set at 79 degrees.

24 Q Okay.

25 A And the A/C unit up there and the one

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1 downstairs is set at 77. And it's really  
2 comfortable in that house.

3 Q And so was all of that done in what year?

4 A I want to say that was probably done in  
5 2019, I think. I can shoot her a text real quick  
6 and ask her.

7 Q Actually, I have the Patriot Roofing docs,  
8 and I think that's correct. We can go through them  
9 in a little bit.

10 A Yeah, it was either '18 or '19. I think  
11 it was '19.

12 Q And was that as a result of a storm event  
13 or storm damage or was that of your own accord?

14 A Of what?

15 Q The -- was there -- the impetus for having  
16 Patriot Roofing come, was that because the turbines  
17 had blown off?

18 A No. The one had blown off, and we  
19 replaced it and put another one back up there. The  
20 tube and everything was still up there, everything  
21 was still intact on the roof part. It was just  
22 like -- I don't know if it was just held in there  
23 with like one screw or whatever, but it -- the  
24 turbine was gone.

25 Q Gotcha.

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1           A     And it was not a -- it was just high winds  
2     that we had had. You know, we have a lot of  
3     straight winds over there. But anyway -- but after  
4     that, like I said, the biggest reason more than  
5     anything was just it was like a sauna up there.

6           Q     Okay.

7           A     You know?

8           Q     And so, I guess, my question then is: Was  
9     the Patriot Roofing repairs -- was that as a result  
10    of any storm damage?

11          A     No.

12          Q     Okay.

13          A     And it wasn't repairs. It was just like  
14     maintenance. It was -- it was -- (shrugged  
15     shoulders) -- there was nothing to be repaired at  
16     that time. It was just maintenance.

17          Q     Just improvements --

18          A     Right.

19          Q     -- as far as the ventilation for the --

20          A     For the roof, yeah. You couldn't go in  
21     that attic up there. It was like -- it was bad.

22          Q     When the turbine vent blew off, was that  
23     something you replaced yourself or did you hire  
24     someone?

25          A     (Laughing.) I got up there on the roof

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1 Q So --

2 A -- the brick.

3 Q -- when did you first notice those leaks?

4 A I don't recall the exact date it was. It  
5 was -- it was right there after we had the -- filed  
6 the claim.

7 Q So you noticed them after you filed the  
8 claim?

9 A Yes.

10 Q Okay. And then before you filed the  
11 claim, did you go -- have anyone go up on your roof  
12 and see if there was roof damage or did you just  
13 file the claim based on your neighbors having  
14 damage?

15 A No. I had the roofer -- I don't remember  
16 his name. Craig or something, I think, or Greg. He  
17 had done my neighbors across the street, who -- he's  
18 a farm bureau agent, and he came over and looked at  
19 my roof.

20 And he got up there and he was like, "Oh,  
21 yeah, you know, you got damage."

22 And I said, "Okay."

23 So he -- we started the claim with him.

24 Q Okay. So then -- so the process is you  
25 noticed one of your neighbors getting work done to

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1       their roof. Did you contact Craig Cox directly or  
2       was he their contractor?

3           A       No, I contacted him. I -- he was -- he  
4       had already done -- was done with their roof and  
5       gone. You know, so...

6           Q       So did you get his info from your  
7       neighbor?

8           A       From my neighbor, right.

9           Q       And what's your neighbor's name?

10          A       Darrell David.

11          Q       Is their house right next to yours or down  
12       the street?

13          A       Straight across the street.

14          Q       Okay. Straight across the street.

15               And so then do you recall when you had  
16       Craig Cox -- Craig Cox, did he come out and get on  
17       your roof?

18          A       Yeah.

19          Q       When was that?

20          A       I don't recall. I mean I know it was  
21       somewhere in there -- it had to be August to  
22       somewhere -- I don't know. I mean I can probably  
23       get on my phone and find it.

24          Q       We can go through -- there's text  
25       messages. I think we may be able to figure out when

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1 it is.

2 A Yeah, we can figure out the dates there.

3 Q So Craig comes. He inspects your roof.  
4 He says there's damage to it. And then at that  
5 point, do you call State Farm yourself or how did  
6 you file the claim?

7 A I -- I believe I called Tabatha. I don't  
8 really remember how that went. I don't know if he  
9 filed it with them, but I do -- I do recall talking  
10 to Tabatha about it. So maybe Tabatha got it -- did  
11 it and got the ball rolling and got an adjuster out  
12 there.

13 Q Gotcha.

14 So it might have been Tabatha who started  
15 it or it might have been Craig Cox?

16 A Yeah, it might have been, but I do  
17 remember talking to Tabatha about it.

18 Q Okay. Do you recall a specific storm that  
19 caused this damage?

20 A Not now. It's been -- (shook head) --  
21 that's been two years.

22 Q At the time you made the claim, did you  
23 have a specific storm event in mind that you thought  
24 it was from?

25 A I can't remember if it was June -- May,

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1 June, July or August. I know it was over that  
2 summer. You know -- but I mean, it's too far back  
3 for me to remember or pinpoint a --

4 Q A specific --

5 A Yeah.

6 Q Do you recall getting hail at your house  
7 that summer?

8 A Yeah.

9 Q Okay. Do you recall the size of it or  
10 seeing it outside?

11 A Yeah, I got it on video.

12 Q You have it on video?

13 A Yeah, I have a video of some of it. It  
14 was more than one. I mean it hailed more than once.  
15 But I got some video of when I was on the back  
16 patio, because I kind of like to sit out there when  
17 it's storming. It's kind of cool. And it started  
18 hailing. And I videoed it.

19 Q When was that video from?

20 A I don't know. I would have to find it on  
21 here. (Reviewed cellphone photos.) I got a lot of  
22 videos on here -- (continued review) -- but I'll  
23 have to look for it. But I have videos of the hail,  
24 yeah, because --

25 Q And we can take a quick break if you would

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1 like to look for just a second.

2 A Dude, I've got like -- mostly like deer  
3 hunting and --

4 Q Well, then we can do it after the  
5 deposition, too. That's fine.

6 A Yeah.

7 Q Okay. We can -- we can -- if you -- after  
8 the deposition, if you'll look through those videos  
9 and see what you have and then present them to your  
10 counsel, we can figure out a way to get them and  
11 check and see when they were.

12 A Okay.

13 Q And is it your testimony that one of those  
14 hailstorms you saw is the storm that caused the  
15 damage to your roof?

16 A Possibly.

17 Q Okay. But you're not sure of a specific  
18 date that you're alleging "I remember this specific  
19 storm. I saw the damage the next day. This is what  
20 happened"?

21 A Right.

22 Q Okay.

23 MR. FISHBURN: You can put that away for  
24 now.

25 THE WITNESS: Yeah.

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1 following information was obtained from Mr. LeJeune  
2 regarding the history of the residence." [As read.]

3 It says, "The residence is approximately  
4 14 years old." [As read.]

5 Is that -- do you think was that correct  
6 probably in --

7 A Yes.

8 Q -- 2021?

9 A (Nodded head.)

10 Q "Roof covering has never been replaced."  
11 [As read.] Is that correct?

12 A Right.

13 Q Then it says, "There have been no roof  
14 leaks." [As read.]

15 A Not that we had seen at that point, I  
16 guess.

17 Q Okay. And then below that, it kind of  
18 discusses what I believe you were talking about with  
19 Patriot Roofing. "About one and a half to two years  
20 ago, modifications were made to the residence:  
21 Gutters and downspouts were replaced; the roof vents  
22 on the east slope were removed and new asphalt  
23 shingles were installed in the area where the roof  
24 vents were removed; and ridge vents were  
25 installed." [As read.]

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1 44,000 at the bottom right.

2 A Yeah.

3 Q Do you ever recall hearing him give you  
4 that number or seeing that before?

5 A I don't recall the number -- the dollar  
6 figure. I really don't.

7 Q Okay.

8 A Now this may have been -- yeah, I don't  
9 know.

10 Q So it looks like he -- and you may not  
11 know this. So if you don't know it, feel free not  
12 to answer. It looks like he drafted this premium  
13 report -- on the front page it says March 14, 2022.

14 And do you know if he waited and wrote  
15 this until March of 2022 once he had switched to a  
16 different company or do you have any opinion on  
17 that?

18 A I have no idea.

19 Q Okay. Did you pay Josh Gall for any work  
20 he did?

21 A No.

22 Q Did you ever have any agreement with him?

23 A No.

24 Q Okay. So the timing -- so he came out on  
25 May 26th. And then on June 28th, you had leaks and

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1 Q -- or he put out -- he had a crew come  
2 out.

3 A Yeah, he had three or four guys show up  
4 and do that real quick.

5 Q And so then at what point did Coppermark  
6 become involved and how did you hear about them?

7 A I actually heard about them through Josh.  
8 I'm just trying to get my roof fixed, you know?

9 Q Okay. So Josh is the one who suggested  
10 them?

11 A He said, you know, "These people might be  
12 able to help you."

13 And I knew what a public adjuster was. I  
14 have a friend that's a public adjuster, but I don't  
15 do business with friends or family.

16 Q Okay.

17 A And so I already knew what a public  
18 adjuster was. So it wasn't like -- but -- and I  
19 was, you know, just wanting to get my roof fixed.

20 And he said, "Well, these people might be  
21 able to help."

22 Q Did you call them first or did he call  
23 them and set up a meeting? How did that work?

24 A I called them.

25 Q Okay. Do you recall who you spoke with

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1 first?

2 A Um, I think it was the secretary, and then  
3 she took my information. And then I believe a lady  
4 called me back. Stephanie --

5 Q Stephanie?

6 A -- I think called me back.

7 Q All right. So when you called -- I guess  
8 when Josh referred them to you, what did he say they  
9 would do?

10 A Just he said these people pretty much may  
11 be able to help --

12 Q Okay.

13 A -- I mean -- with my situation. I mean he  
14 didn't promise me anything or tell me that they were  
15 going to do anything in particular, but they might  
16 be able to help.

17 Q Okay. At that point forward, did you have  
18 any other communications with State Farm or did  
19 Coppermark handle it?

20 A Coppermark pretty much handled it. I  
21 haven't talked to anyone at State Farm about this  
22 since, I believe.

23 Q Okay. So from that point on, it was  
24 Coppermark?

25 A Yeah. I don't remember -- I don't think

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1 A Do you want me to correct it on here?

2 Q No. That -- that won't have any bearing.

3 A That ZIP code that I live in is split.

4 Q Okay.

5 A Half of it's -- or it's in Cleveland and  
6 McClain. I live -- I have a Norman address, bills  
7 and utilities, and a Washington telephone number.

8 Q Okay.

9 A So it's -- yeah, I'm right on the border  
10 of -- my kids could have gone to Washington or  
11 Norman schools.

12 Q Okay. So really your ZIP code -- your  
13 residence is in Cleveland, but --

14 A No, it's in McClain.

15 Q I mean McClain. Okay.

16 A Right.

17 Q Okay. And then it says in 8 -- it says,  
18 "On or about August 31st, 2020, Plaintiff's property  
19 was damaged as a result of a storm." [As read.]

20 Is that your understanding of when the  
21 date of loss occurred, or do you have a specific  
22 date of loss?

23 A Well, um, I don't know. I'm not sure. I  
24 mean, because there was the one in June, and then --  
25 but there was another one, you know, after that in

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1       August. So either one of those date of losses, I  
2       guess.

3           Q       And you're not sure -- you don't have an  
4       opinion as to which --

5           A       Which one? No.

6           Q       -- one specifically would have caused the  
7       damage?

8           A       No.

9           Q       Okay. And in this claim, there isn't a  
10       mention of a later storm after August 31st, 2020, is  
11       there?

12          A       I don't see one.

13          Q       If you'll go to -- and we'll switch. That  
14       is the original Petition that was pro se.

15               I'm going to hand you Defendant's  
16       Exhibit 23.

17               (Defendant's Exhibit Number 23 was marked  
18       for identification and made a part of the record.)

19          Q       (By Mr. Stone) I'll represent that this is  
20       your First Amended Petition filed on  
21       November 22nd, 2020.

22               Have you seen this First Amended Petition  
23       before?

24          A       (Reviewed document.) I can't say that I  
25       have or that I haven't.

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1                   MR. FISHBURN: He's just going to state  
2 the facts.

3                   Q     (By Mr. Stone) So as to your -- so what is  
4 your -- your factual -- so looking back at this  
5 case, under your factual understanding, what do you  
6 believe State Farm should have covered that they  
7 didn't cover?

8                   A     The hail damage to my roof.

9                   Q     Okay. Are you making any claim that any  
10 interior damage should have been covered and is not  
11 covered?

12                  A     Well, the leaks, damage from the leaks.

13 (Nodded head.)

14                  Q     Have you made any claim with State Farm  
15 for the interior damage at this point?

16                  A     Well, it's all part of this.

17                  Q     Okay.

18                  A     I mean --

19                  Q     But do you know specifically if you have  
20 taken pictures and made a claim for them on the  
21 interior?

22                  A     Yeah, you've got the pictures right here,  
23 in here. (Indicating.)

24                  Q     Okay. But have you -- when you were  
25 speaking with State Farm at the beginning of the

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1 case, did you ever send in pictures or --

2 A Well, at the time, I did not have a leak.

3 Q Okay. Paragraph 7, it says, "Plaintiff's  
4 damages are in an amount not less than  
5 \$68,604.34." [As read.]

6 Do you have a factual understanding of  
7 what that number represents?

8 A Um, all I can do is assume.

9 Q Okay. Paragraph 8 says, "State Farm" --  
10 well, that's a legal question.

11 Paragraph 9 says, "Given the circumstances  
12 in this case, State Farm acted unreasonably and in  
13 bad faith." [As read.]

14 Do you have any factual, in your knowledge  
15 and belief of -- that State Farm did anything  
16 unreasonable or in bad faith?

17 MR. FISHBURN: I'm going to object to that  
18 question as well. That's a legal theory or  
19 conclusion.

20 Q (By Mr. Stone) So do you believe that  
21 State Farm did anything that would amount to  
22 malice --

23 MR. FISHBURN: I'm going to object to  
24 that, as well.

25 Q (By Mr. Stone) -- in your understanding of

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1 State Farm acted in fraud or put you in duress in  
2 any way in this case?

3 And those are not legal questions. That's  
4 your belief.

5 A Well --

6 MR. FISHBURN: I'm going to object to that  
7 as to speculation, because he's not in a position  
8 to -- I mean he would be speculating on the  
9 intent --

10 MR. STONE: Okay.

11 MR. FISHBURN: -- of State Farm, and I  
12 think that's improper.

13 Q (By Mr. Stone) Okay. So did State Farm do  
14 anything you believe was unfair in this case?

15 A Well, yeah.

16 Q What is that?

17 A They didn't fix my roof.

18 Q Okay. And --

19 A I just want my roof fixed.

20 Q Okay. And outside of that, did State  
21 Farm, um --

22 A There's hail damage to my roof.

23 Q Okay. And so --

24 A Everybody sees it but State Farm.

25 Q Okay. So is the basis of your claim that